

**Town of Dallas**

**Agenda**

**MAY 4, 2021**

**3:00 PM**

**BOARD OF ALDERMEN – WORK SESSION MEETING**

**Rick Coleman, Mayor**

**Allen Huggins**

**Frank Milton**

**Darlene Morrow**

**Jerry Cearley, Mayor Pro-Tem**

**E. Hoyle Withers**

**ITEM SUBJECT**

**Pages**

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- 1. Pledge of Allegiance to the Flag**
  - 2. Approval of Agenda with Additions Or Deletions**
  - 3. New Business**
    - A. Discussion on R-5 zoning requests – LGI Development 2
    - B. Discussion of HB401/SB349 4

# TOWN OF DALLAS, NORTH CAROLINA

## REQUEST FOR BOARD ACTION

DESCRIPTION: Discussion of LGI Development

AGENDA ITEM NO. 3A

MEETING DATE: 05/4/2021

### BACKGROUND INFORMATION:

Representatives from LGI will be in attendance to make a short presentation (they have not presented any material to the Board previously) concerning the proposed development behind Ollie Way.

Attached is a sheet comparing the parameters of R10 and R5 zoning for review.

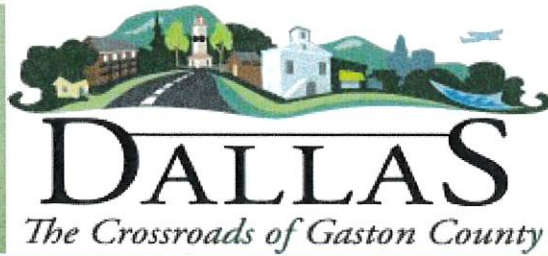
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MANAGER RECOMMENDATION:

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BOARD ACTION TAKEN:





<b>R-10</b>	<b>DALLAS</b> <i>The Crossroads of Gaston County</i>	<b>R-5</b>
10,000 square feet	<b>MIN. LOT SIZE</b>	5,500 square feet
80 feet	<b>MIN. LOT WIDTH</b>	50 feet
35 feet	<b>FRONT/REAR SETBACK</b>	25 feet
10 feet	<b>SIDE SETBACK</b>	6 feet
35 feet	<b>MAX BUILDING HEIGHT</b>	35 feet
2 spaces per dwelling	<b>OFF STREET PARKING</b>	4 spaces per dwelling
None required	<b>OPEN SPACE</b>	15% of site
None Required	<b>AMENITIES</b>	20% of open space
None	<b>ZONING SIZE RESTRICTIONS</b>	10 Acres Minimum 250 Acres Maximum



# TOWN OF DALLAS, NORTH CAROLINA

## REQUEST FOR BOARD ACTION

DESCRIPTION: Discussion of HB401 and SB349

AGENDA ITEM NO. 3B

MEETING DATE: 05/4/2021

### BACKGROUND INFORMATION:

HB401 and SB349 are being reviewed in the North Carolina General Assembly. These are companion bills that would eliminate single-family housing zoning in North Carolina. These bills would be detrimental to local governments in North Carolina and take away local control of development and growth. The Planning Association and the North Carolina League of Municipalities are disseminating information on an ongoing basis. All of these agencies are in opposition to the proposals.

Attached is a resolution opposing HB410 and SB349 for review.

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MANAGER RECOMMENDATION:

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BOARD ACTION TAKEN:



**Resolution Opposing HB401/SB349  
2021 North Carolina Legislative Session**

**WHEREAS**, recognizing the importance of zoning to the peace and prosperity of North Carolina’s municipalities, for generations the State of North Carolina has allowed municipalities to regulate local development; which in turn, residents have relied upon in making their most important financial investments, the purchase of their homes; and,

**WHEREAS**, municipalities in the State of North Carolina have their own unique characteristics and challenges so that “one size” does not “fit all”, and statewide zoning mandates thus may have unintended negative consequences for the residents of the State; and,

**WHEREAS**, the Town of Dallas has responsibly exercised the zoning and land use authority granted to it by the State of North Carolina; and,

**WHEREAS**, the Town of Dallas explicitly considers choice in housing and social and economic diversity as part of its existing zoning and land use authority; and the Town’s housing choices and zoning plans have been approved with extensive community involvement and neighborhood-appropriate measures; and,

**WHEREAS**, HB401/SB349 as pending in the North Carolina General Assembly would force municipalities to allow duplexes, triplexes, quadplexes, and townhouses into all residential zoning districts, including low-density zoning districts, for the stated purpose of expanding housing opportunities in cities; and,

**WHEREAS**, HB401/SB349 will most harm those it claims to help, as it exempts residential areas in which private restrictive covenants apply, thus differentiating between sub-divisions such as gated communities and the neighborhoods without such protections; in essence protecting the wealthy by exposing middle and low income residents to incompatible development dictated by state government; and,

**WHEREAS**, HB401/SB349 likewise mandates the allowance of “one accessory dwelling”, which can consist of a duplex, on each lot on which there is a single family residence, circumventing all usual approval processes such as conditional district zoning, and undermining all local parking requirements and utility approval protocols without regard to the impacts of a potential tripling of density; and,

**WHEREAS**, HB401/SB349 would eliminate single-family zoning by allowing for middle housing types (as defined as residential duplexes, triplexes, quadplexes, and townhouses) in areas zoned for residential use and mandating the allowance of accessory dwelling units in all residential zones, and while such mandates would increase housing supply statewide, there is no guarantee of housing affordability, or neighborhood compatibility; and,

**WHEREAS**, HB401/SB349 has the potential to fundamentally change most neighborhoods in Dallas and cause disruption in the lives of our citizens; and,



**Resolution Opposing HB401/SB349  
2021 North Carolina Legislative Session**

**WHEREAS**, although HB401/SB349 has reportedly been endorsed by “affordable housing” proponents as a way to increase supply and decrease costs, in actuality there is nothing in the bill which actually controls costs; and,

**HEREAS**, HB401/SB349 prohibits a municipality from even examining a traffic impact analysis which has satisfied the North Carolina Department of Transportation, whether or not the local officials who live and work in the community believe that the traffic generated by the project poses a danger to public safety and whether or not they believe the ratification by the Department is prudent; and,

**WHEREAS**, HB401/SB349 directs local governments to adopt land use ordinances and regulations or amend their comprehensive plans to implement the provisions at a time when local governments are investing significant time and resources to comply with new Chapter 160D requirements recently enacted by the General Assembly (S.L. 2020-25), and the proposed bills would significantly alter those ongoing planning processes, waste government resources, and erode public trust; and,

**WHEREAS**, HB401/SB349 is a radical and comprehensive attack on local land-use planning and the ability of local government, the government closest to the citizens, to hear from and respond to the needs of our citizens in the long-standing planning and zoning forums granted by law.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Aldermen of the Town of Dallas:

1. That the General Assembly not adopt either HB401 or SB349;
2. That, if passed, the Governor, the Honorable Roy Cooper, veto these measures;
3. That a copy of this resolution be sent to our elected State representative and the Governor;
4. That the Town Manager take whatever additional steps are deemed prudent in opposing this legislation.

Adopted this the 11<sup>th</sup> day of May, 2021.

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Rick Coleman, Mayor

ATTEST:

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Shannon Whittle, Town Clerk